

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2011-52-C - ORDER NO. 2011-393

JUNE 7, 2011

IN RE: Application of Time Warner Cable	)	ORDER GRANTING
Information Services (South Carolina), LLC	)	MOTION FOR
d/b/a Time Warner Cable to Amend Its	)	EXPEDITED REVIEW,
Certificate of Public Convenience and	)	WAIVING HEARING
Necessity to Provide Telephone Services in	)	REQUIREMENT, AND
the Service Area of Sandhill Telephone	)	APPROVING
Cooperative, Inc. and for Alternative	)	APPLICATION
Regulation	)	

Pursuant to S.C. Code Ann. § 58-9-280, this matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Time Warner Cable Information Services (South Carolina), LLC d/b/a Time Warner Cable ("TWCIS," "Company," or "Applicant") to amend its Certificate of Public Convenience and Necessity under Order Nos. 2004-213, 2005-385(A), and 2009-356 for authority to serve customers in the geographic area currently served by Sandhill Telephone Cooperative, Inc. ("Sandhill"). In Docket No. 2005-130-C, TWCIS was authorized to implement an alternative regulatory plan under S.C. Code Ann. §§ 58-9-575 and 58-9-585 and seeks to operate under the same plan in the Sandhill Telephone service area. In addition, TWCIS requests expedited review and waiver of hearing as well as waiver of S.C. Code Ann. Regs. 103-610 and 103-631, which would require record keeping within the state and the publishing of directories.

Notice of the matter was published according to Commission regulations. Sandhill intervened in this matter but ultimately did not oppose the Application. The

Office of Regulatory Staff (“ORS”) also does not oppose the Application and recommends granting the expansion of service territory. Further, as described in the Application, the Company states that it will abide by all applicable statutes, orders, rules, and regulations entered and adopted by the Commission.

According to the Application, TWCIS plans to provide facilities-based telecommunications and voice services in Sandhill's service area. It provides voice service using Internet protocol (“IP”) technology, the Company's privately managed IP network, and the public switched telephone network. These voice services are offered to both residential and commercial customers. In addition, TWCIS offers intrastate telecommunications services to both wholesale and retail commercial customers.

These services, which are comprised of non-voice transmission services, provide high-capacity, point-to-point, point-to-multipoint, and multipoint-to-multipoint dedicated connections between and among one or more customer locations and/or TWCIS. The services may utilize Ethernet interfaces, optical fiber and/or coaxial cable facilities and are designed and provisioned on an individual case basis pursuant to contracts with customers. These services are currently offered by TWCIS in the areas in which it is certificated and are more completely described in its current South Carolina Tariff No. 1 on file with the Commission.

After review of the record in this Docket, we find that TWCIS possesses the managerial and technical resources to provide telecommunications services in the expanded territory, and these services meet the Commission's service standards. Further, we find that provision of the services will not adversely impact the availability of

affordable local exchange service as Sandhill draws subsidy funds from the South Carolina Universal Service Fund to protect it from competition, and the current guidelines of the fund allow it to seek additional funding. Last, we find that provision of services in the expanded territory will not adversely impact the public interest. Therefore, we conclude from the above finding that TWCIS meets the statutory requirements for expansion of service territory under S.C. Code Ann. § 58-9-280(B).

IT IS THEREFORE ORDERED:

1. Notice has been published as required by the Commission and any interested party has had an opportunity for a hearing as required by S.C. Code Ann. § 58-9-280(B). There is no opposition to the Application. Therefore expedited review, through the Commission's consideration of the Application at its weekly public meeting, is granted.

2. The Application to amend TWICIS's Certificate of Public Convenience and Necessity to serve customers in the geographic area currently served by Sandhill Telephone Cooperative, Inc. under the alternative regulatory program found at S.C. Code Ann. §§ 58-9-575 and 58-9-585 is approved.

3. Waiver of the requirements of S.C. Code Ann. Regs. 103-610 and 103-631 regarding record keeping and publishing directories are waived.

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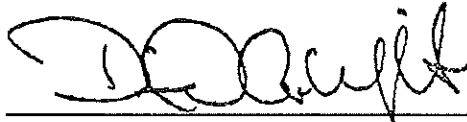
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4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
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John E. Howard, Chairman

ATTEST:

  
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David A. Wright, Vice Chairman  
(SEAL)